

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**UNITED STATES, *ex rel.*,  
DILBAGH SINGH M.D.,  
PAUL KIRSCH, M.D.,  
V. RAO NADELLA, M.D., and  
MARTIN JACOBS, M.D.,**

**Plaintiffs,**

**v.**

**BRADFORD REGIONAL MEDICAL  
CENTER, V & S MEDICAL  
ASSOCIATES, LLC,  
PETER VACCARO, M.D.,  
KAMRAN SALEH, M.D., and  
DOES I through XX,**

**Defendants.**

**Civil No. 04-186 Erie**

**FINAL CASE MANAGEMENT ORDER**

AND NOW, to-wit, this 30th day of July, 2008, it is hereby ORDERED,  
ADJUDGED and DECREED as follows:

IT IS ORDERED that the above-captioned civil action shall proceed under Local Rule 16.1 of this Court, for pretrial proceedings. All provisions of the Rule will be strictly enforced.

IT IS FURTHER ORDERED that counsel shall confer with their clients prior to all case management, status or pretrial conferences in order to obtain authority for the purpose of participating in settlement negotiations to be conducted by the court. Counsel are encouraged to appear with their principals at all such conferences, or instruct the principals to be available by telephone to facilitate the amicable resolution of all litigation.

1. The parties shall file motions for judgment on the pleadings, for summary judgment, or to dismiss, if appropriate, on or before September 10, 2008. All such motions shall be accompanied by a brief. Responses to such motions shall be accompanied by briefs and shall be filed within thirty days. Any reply briefs shall be due twenty days

thereafter. The Court hereby waives the requirement that the parties file a joint concise statement of material facts in light of the fact that all parties have indicated an intention to file a motion for summary judgment and that such a requirement will only serve to delay disposition of the motions.

2. If the dispositive motions are denied, plaintiff's pretrial narrative statement shall comply with L.R. 16.1.4A and be filed within forty-five days after the Court's decision. Counsel shall specify the material facts, including damages, to be proved at trial. Proof of material facts not specified may be excluded at trial upon objection or by the Court *sua sponte*.
3. Defendant's pretrial narrative statement shall comply with L.R. 16.1.4B and be filed within thirty days of the filing of plaintiff's pretrial statement. Counsel shall specify the material facts, including damages, to be proved at trial. Proof of material facts not specified may be excluded at trial upon objection or by the Court *sua sponte*.
4. Within thirty days of the filing of defendant's pretrial statement, counsel for any third-party defendant shall file a brief narrative statement meeting the requirements of L.R. 16.1.4C.
5. If requested by the parties, the Court will schedule a status conference at the convenience of the Court and the parties.
6. If the case is not to be decided on dispositive motions, the case shall be called for trial in Spring, 2009. Counsel are instructed to review the provisions of L.R. 16.1.
7. The court shall schedule a pretrial conference at a later date.
8. Subsequent to the pretrial conference, counsel for all parties may be ordered by the Court to meet at a mutually convenient place to complete a pretrial stipulation to further delineate the legal and factual issues involved.
9. It is estimated that trial will take 5-6 days.

10. Any exhibit which has not been identified by counsel in a pretrial narrative statement, except an exhibit to be used solely for impeachment purposes, shall not be admitted as evidence.
11. Any depositions or any portion thereof to be read into evidence shall be identified at the pretrial conference. Objections to the admissibility of any portion thereof shall be identified and submitted to the Court at the pretrial conference. This order does not include video taped qualifications of experts.
12. The anticipated absence of any witness shall not be sufficient cause to delay the trial. Video tape deposition service is available through the Clerk of Court.

  
Maurice B. Cohill, Jr.  
Senior United States District Judge

cc: Counsel of Record